

City of Scottsbluff, Nebraska
Tuesday, September 27, 2022
Special Meeting

Item 3

Council to consider action on the third reading of the Ordinance updating utility user fees, including water and sewer fees, solid waste collection and surcharge for stormwater.

Staff Contact: Liz Loutzenhiser, Finance Director

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING AND CHANGING THE SOLID WASTE COLLECTION FEES AT SECTIONS 6-6-23, 6-6-24, 6-6-26, 6-6-26.1 AND 6-6-27; AMENDING AND CHANGING SEWER USER FEES INCLUDING SURCHARGE FOR STORMWATER REGULATORY REQUIREMENTS AT SECTIONS 6-6-19, 6-6-20, 6-6-22, AMENDING AND CHANGING THE WATER SERVICE FEES AT SECTION 6-6-28 ALL IN CHAPTER 6 ARTICLE 6 OF THE MUNICIPAL CODE, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA.

Section 1. Section 6-6-19 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-19. Minimum charge.

Each user shall pay a sewer service charge in the minimum amount of \$48.55 which shall cover the first 10,000 gallons of water consumed by the user during the bimonthly billing period as determined in Chapter 18. Each user shall pay an additional charge of \$3.59 per each 1,000 gallons of water consumed in excess of 10,000 gallons during the applicable billing period. Provided, however, wholesale users shall pay 92.5% of the charges provided in this paragraph.

The rates and fees provided for in this section shall be effective with respect to all connections, installations and billings after December 31, 2022.”

Section 2. Section 6-6-20 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-20. Private water supply.

With respect to users having a private water supply which is discharged into the City's sanitary sewer system, sewer service charges shall be calculated as follows:

(1) Commercial and industrial users shall meter their water supply at their expense and their sanitary sewer use charge shall be based on the quantity of water consumed on the premises from all sources.

(2) Single-family residential users within the city limits shall pay \$59.43 per bimonthly period.

(3) Single-family residential users outside the city limits shall pay \$99.50 per bimonthly period.

(4) Multi-family residential users shall pay \$85.55 per dwelling unit per bimonthly period. The rates and fees provided for in this section shall be effective with respect to all connections, installations and billings after December 31, 2022.”

Section 3. Section 6-6-22 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-22. Surcharge.

(1) There will be a \$4.50 per billing cycle surcharge fee to all residents of the city for stormwater regulatory requirements and the use, upkeep and maintenance of the city's stormwater collection system.

(2) Users who contribute wastewater the strength of which is greater than normal domestic sewage shall, in addition to the basic sewer charge, pay a surcharge equal to \$0.60 per pound for the first ten thousand (10,000) pounds of excess B.O.D. per billing cycle (or up to the limit of their contract with the City), and a surcharge of \$1.11 for all additional excess B.O.D. per billing cycle. A contribution of more than twelve thousand (12,000) pounds of excess B.O.D. per billing cycle, in the absence of a contract, shall subject the user to the sanctions and penalties provided in this Chapter. Users with a contract who exceed the limits of their contract may also be subject to the sanctions and penalties provided in this Chapter.

(3) Users who contribute wastewater the strength of which is greater than normal domestic sewage shall, in addition to the basic sewer charge, pay a surcharge equal to \$0.06 per pound of excess suspended solids per billing cycle.

(4) The expression “per billing cycle” as used in this section means the period for which the sewer service charge is payable.

(5) The rates and fees provided in this section shall be effective with respect to connections, installations and billings after December 31, 2022.”

Section 4. Section 6-6-23 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-23. Residential.

The minimum bimonthly charges for collection and disposal service to residential units for solid waste and the single stream recycling program all of which is contained in approved containers shall be as follows, effective for all billings made after December 31, 2022:

One-family unit (including mobile homes with an individual water or sewer connection). \$49.29

One-family two container unit (including mobile homes with an individual water or sewer connection). \$112.72

The minimum requirement for one-family two container units is twelve months from the date of request for two container service.

Multifamily structures (including mobile home parks with a single water or sewer connection)

Bimonthly Rate Per Unit	
2 to 4 units.....	\$49.29
5 to 6 units.....	\$44.29
7 to 10 units.....	\$41.85
11 to 16 units.....	\$39.39
17 to 39 units.....	\$36.86
40 to 59 units.....	\$34.39
60 or more units	\$32.02

Hotels, motels and rooming houses shall be considered as commercial establishments and shall pay charges based on the charges provided for institutional business, commercial and industrial establishments as provided in this Chapter. The charges for quantities or services which exceed those covered by the minimum charge shall be an amount equal to the reasonable cost of the service as determined by the City Manager or the designee of the City Manager.

The rates and fees provided in this section shall be effective with respect to usage for which billings are made after December 31, 2022.”

Section 5. Section 6-6-24 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-24. Institutional; business; commercial; industrial.

(a) The bimonthly charges for collection and disposal of solid waste of institutional, business, commercial and industrial establishments, and solid waste in required containers at construction sites, shall be based upon the number of approved containers collected per collection. Where an establishment has its own water or sewer connection, the fact that it shares a building with another establishment, or does not occupy the entire building, shall be of no significance. The charge per approved container per collection shall be as follows:

	Each time container is emptied	Bimonthly minimum
90 gallon	\$12.74	\$101.92
1.5 cubic yard	\$17.00	\$135.94
3.0 cubic yard	\$33.30	\$258.68

The rates and fees provided in this section shall be effective with respect to usage for which billings are made after December 31, 2022.”

Section 6. Section 6-6-26 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-26. Trees, brush, yard waste; disposition at City disposal sites.

Every person who shall dispose of trees, brush or yard waste at any disposal site of the City shall, effective October 1, 2022, pay the following fee:

Outside City Commercial/Non-residential yard waste and tree disposal
 Inbound..... \$25 per ton

Outside City residential yard waste
 Inbound..... \$5 per 450 lbs

Mulch
 Outbound..... \$25 per ton

Compost
 Outbound..... \$18 per ton

Provided, citizens of the City and commercial operators within the City may dispose of yard waste from the yard of a residence within the City at any of the City's disposal sites without charge. If the tree, brush or yard waste is generated through commercial activities, from a residential or non-residential site outside the City, then the above set forth charges will be applicable. Citizens or commercial operators within the City must have valid identification showing proof of residence inside the City or proof acceptable to the City the tree, brush or yard waste is from a residence within the City to obtain disposal without charge. For purposes of this section yard waste, brush and tree disposal shall mean grass clippings, brush, yard waste and tree material generated from a residence.”

Section 7. Section 6-6-27.1 of the Scottsbluff Municipal Code is amended to provide as follows: “**6-6-26.1. Recyclable materials for Non-Residential Customers and Non-Recyclable equipment.** For residential non-electronic disposal single stream recycling please refer to section 6-6-23. Non-residential customers recycling electronic equipment and appliances please refer to the program specifics set forth below:

1. Customers recycling electronic waste including but not limited to: computer monitors, desk top and laptop computers, electronic mice, printers, fax machines, scanners, electronic typewriters, keyboards, computer speakers, servers, hard drives, television sets, VCR/DVD/Blue Ray players, home or auto stereo equipment, small electronics, gaming equipment and CFL light bulbs and florescent tubes brought in for disposal, shall be charged a fee of \$.50 per pound for all electronic waste brought in for recycling.
2. For non-recyclable appliances and electronic equipment, every person including residential and non-residential customers, who shall dispose of an appliance or non-recyclable electronic equipment at any disposal site of the City shall pay a charge of \$26.78 per item disposed.
3. The fee for the Gaylord (cardboard) containers shall be \$21.22 per month.
4. The rates and fees provided in this section shall be effective after October 1, 2022.”

Section 8. Section 6-6-27 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-27. Special Collections and Additional Containers.

Upon request, the City may, but is not required to, make special collections of solid waste or deliver additional containers for residents having an event. When a special collection is made, the charges shall be as follows:

Residential 90 gallon roll-out trash container	\$12.74
Residential yard waste container	\$12.74
1.5 CY trash container	\$17.00
3.0 CY trash container	\$33.30
Each appliance	\$26.78

When notified of an event such as a picnic, fund raiser, craft fair, party, collection point for recycling or other non-routine event and an additional container is requested, the charges shall be as follows:

- 90 gallon - \$12.74 rental fee per container and \$12.74 for dump per container
- 1.5 CY - \$17.00 rental fee per container and \$17.00 for dump per container
- 3.0 CY - \$33.30 rental fee per container and \$33.30 for dump per container

The charges for the collection of other solid waste shall be based on volume as measured by the capacity of a standard ½ ton pickup truck. There shall be a minimum charge of \$15.00. If the volume of solid waste as estimated by the representative of the Sanitation Department exceeds to capacity of a standard ½ ton pickup truck, the charge shall be \$35.00 for each pickup load. The rates provided for shall become effective on midnight, December 31, 2022.”

Section 9. Section 6-6-28 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-28. Water service.

(1) Each user of the City water system located within the City limits shall pay charges based on bimonthly consumption as follows:

Gallons	Rate per Thousand Gallons
Up to 10,000	\$2.648
10,001 to 20,000	\$2.154
20,001 to 60,000	\$2.147
60,001 to 100,000	\$2.123
Over 100,000	\$2.104

Consumption of any part of 1,000 gallons shall be considered as consumption of an entire 1,000 gallons for purposes of calculating consumption and the applicable rate(s).

(2) Each user of the City water system located within the City limits shall pay minimum bimonthly charges as follows:

Water Meter Size	Minimum Charge	Gallons
5/8" or 3/4"	\$26.48	10,000
1"	\$48.02	20,000
1½"	\$90.95	40,000
2"	\$123.14	55,000
3"	\$197.47	90,000
4"	\$302.75	140,000
6"	\$428.84	200,000
8"	\$638.84	300,000

Payment of the minimum charge shall constitute payment in full for any quantity of water not exceeding the amount shown in the "Gallons" column opposite the applicable "Minimum Charge." In the case of premises as to which the final date for connection of the plumbing has been deferred under section 22-1-8, there shall be a bimonthly charge for standby fire protection service of \$6.00.

Each user of the City water system located outside of the City limits, except for whole sale water use provided by the City pursuant to the terms of an agreement, shall pay the following 1.5 times the minimum charges listed above. Provided, whole sale water use and sale shall be sold at an agreed upon amount as set by the City Council for charges outside the City limits.

The rates and fees provided for in this section shall be effective with respect to all connections, installations, and billings after December 31, 2022.”

Section 10. Existing Sections 6-6-19, 6-6-20, 6-6-22, 6-6-23, 6-6-24, 6-6-26, 6-6-27 and 6-6-28, of the Scottsbluff Municipal Code are hereby repealed. This Ordinance shall not be construed to effect any cause of action, civil or criminal, existing or actions pending, at the time this Ordinance becomes effective.

Section 11. This Ordinance shall become effective upon its passage, approval as provided by law, and publication shall be in pamphlet form.

PASSED and APPROVED on _____, 2022.

Mayor

Attest:

City Clerk (Seal)

Approved as to Form:

Deputy City Attorney